

EAST RENFREWSHIRE COUNCIL

LOCAL REVIEW BODY

4 October 2023

Report by Director of Business Operations and Partnerships

REVIEW OF CASE - REVIEW/2023/09

PROPOSED DORMERS AND INTERNAL ALTERATIONS TO EXISTING DETACHED  
DWELLING

**PURPOSE OF REPORT**

1. The purpose of the report is to present the information currently available to allow a review of the decision taken by officers, in terms of the Scheme of Delegation made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 in respect of the application detailed below.

**DETAILS OF APPLICATION**

2. Application type: Further application (Ref No:- 2023/0217/TP).
- Applicant: Ms Kim Ndungu
- Proposal: Proposed dormers and internal alterations to existing detached dwelling
- Location: 38 Cheviot Drive, Newton Mearns, G77 5AS
- Council Area/Ward: Newton Mearns South and Eaglesham (Ward 5).

**REASON FOR REQUESTING REVIEW**

3. The applicant has requested a review on the grounds that the Council's Appointed Officer refused the application.

**RECOMMENDATIONS**

4. The Local Review Body is asked to:-
- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
    - (i) it proceeds to determine whether the decision taken in respect of the application under review should be upheld, reversed or varied; and
    - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or
  - (b) that in the event that further procedure is required to allow it to determine the review, consider:-

- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
- (ii) what procedure or combination of procedures are to be followed in determining the review.

## **BACKGROUND**

5. At the meeting of the Council on 29 April 2009, consideration was given to a report by the Director of Environment seeking the adoption of a new Scheme of Delegation in terms of the new Section 43A of the Town and Country Planning (Scotland) Act 1997, subject to approval of the scheme by Scottish Ministers.

6. The report provided details of the new hierarchy of developments that took effect from 6 April 2009 explaining that the Scheme of Delegation related to those applications within the “local development” category as set out in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, but would in future be determined by an “appointed officer”. In the Council’s case this would be either the Director of Environment or the Head of Roads, Planning and Transportation Service now designated the Head of Environment (Operations).

7. The report highlighted that historically appeals against planning decisions were dealt with by Scottish Ministers. However, following the introduction of the new planning provisions which came into effect on 3 August 2009 all appeals against decisions made in respect of local developments under delegated powers would be heard by a Local Review Body. The Local Review Body would also deal with cases where the appointed officer had failed to determine an application within two months from the date it was lodged.

## **NOTICE OF REVIEW – STATEMENT OF REASONS FOR REQUIRING THE REVIEW**

8. The applicant in submitting the review has stated the reasons for requiring the review of the determination of the application. A copy of the applicant’s Notice of Review and Statement of Reasons including appeal statement is attached as Appendix 5.

9. The applicant is entitled to state a preference for the procedure (or combination of procedures) to be followed by the Local Review Body in the determination of the review and has detailed in their opinion that this review can continue to conclusion based on the assessment of the review documents only, with no further procedure.

10. The Local Review Body is not bound to accede to the applicant’s request as to how it will determine the review and will itself decide what procedure will be used in this regard.

11. At the meeting of the Local Review Body on 10 August 2016, it was decided that the Local Review Body would carry out unaccompanied site inspections for every review case it received prior to the cases being given initial consideration at a meeting of the Local Review Body.

12. In accordance with the above decision, the Local Review Body will carry out an unaccompanied site inspection on Wednesday, 4 October 2023 before the meeting of the Local Review Body which begins at 2.30pm.

## **INFORMATION AVAILABLE TO ALLOW REVIEW OF APPLICATION**

**13.** Section 43B of the Planning etc (Scotland) Act 2006 restricts the ability of parties to introduce new material at the review stage. The Local Review Body is advised that the focus of the review should, therefore, be on the material which was before the officer who dealt with the application under the Scheme of Delegation.

**14.** The information detailed below is appended to this report to assist the Local Review Body in carrying out the review of the decision taken by the Appointed Officer:-

- (a) Application for planning permission – Appendix 1 (Pages 54 to 62);
- (b) Reports of Handling by the planning officer under the Scheme of Delegation - Appendix 2 (Pages 63 to 72);
- (c) Decision notice and reasons for refusal - Appendix 3 (Pages 73 to 76); and
- (d) A copy of the applicant's Notice of Review and Statement of Reasons including appeal statement - Appendix 4 (Pages 77 to 84).

**15.** The applicant has also submitted the drawings listed below and these are attached as Appendix 5 (Pages 85 to 94).

- (a) Elevations as Existing;
- (b) Elevations as Proposed;
- (c) First Floor Plan as Existing;
- (d) First Floor Plan as Proposed;
- (e) Ground Floor Plan as Existing;
- (f) Ground Floor Plan as Proposed;
- (g) Roof Plan as Existing; and
- (h) Roof Plan as Proposed.

**16.** All the documents referred to in this report can be viewed online on the Council's website at [www.eastrenfrewshire.gov.uk](http://www.eastrenfrewshire.gov.uk).

## **RECOMMENDATIONS**

**17.** The Local Review Body is asked to:-

- (a) consider whether it has sufficient information to allow it to proceed to determine the review without further procedure and, if so, that:-
  - (i) it proceeds to determine whether the decisions taken in respect of the application under review should be upheld, reversed or varied; and
  - (ii) in the event that the decision is reversed or varied, the reasons and the detailed conditions to be attached to the decision letter are agreed; or
- (b) In the event that further procedure is required to allow it to determine the review, consider:-

- (i) what further information is required, which parties are to be asked to provide the information and the date by which this is to be provided; and/or;
- (ii) what procedure or combination of procedures are to be followed in determining the review.

Report Author: John Burke

Director – Louise Pringle, Director of Business Operations and Partnerships

John Burke, Committee Services Officer  
e-mail: [john.burke@eastrenfrewshire.gov.uk](mailto:john.burke@eastrenfrewshire.gov.uk)  
Tel: 0141 577 3026

Date:- 28 September 2023

**APPLICATION FOR PLANNING PERMISSION**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100611764-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

PROPOSED DORMERS AND INTERNAL ALTERATIONS TO EXISTING DETACHED DWELLING

Has the work already been started and/ or completed? \*

No  Yes - Started  Yes – Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	HOKO Design		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Danny	Building Name:	GRAIN STORE
Last Name: *	Campbell	Building Number:	60
Telephone Number: *	02045250975	Address 1 (Street): *	Tradeston St
Extension Number:	<input type="text"/>	Address 2:	Tradeston
Mobile Number:	<input type="text"/>	Town/City: *	Glasgow
Fax Number:	<input type="text"/>	Country: *	UK
		Postcode: *	G5 8BH
Email Address: *	dannysteam@hokodesign.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	KIM	Building Number:	38
Last Name: *	NDUNGU	Address 1 (Street): *	CHEVIOT DRIVE
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	GLASGOW
Extension Number:	<input type="text"/>	Country: *	UK
Mobile Number:	<input type="text"/>	Postcode: *	G77 5AS
Fax Number:	<input type="text"/>		
Email Address: *	boomkim1@hotmail.com		



## Site Address Details

Planning Authority:

East Renfrewshire Council

Full postal address of the site (including postcode where available):

Address 1:

38 CHEVIOT DRIVE

Address 2:

NEWTON MEARNS

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLASGOW

Post Code:

G77 5AS

Please identify/describe the location of the site or sites

Northing

655036

Easting

253425

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

Yes  No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Danny Campbell

On behalf of: Ms KIM NDUNGU

Date: 13/04/2023

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Danny Campbell

Declaration Date: 13/04/2023

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**REPORT OF HANDLING**

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# REPORT OF HANDLING

Reference: 2023/0217/TP

Date Registered: 3rd May 2023

Application Type: Full Planning Permission

This application is a Local Development

Ward: 5 -Newton Mearns South And Eaglesham

Co-ordinates: 253425/:655036

Applicant/Agent:

Applicant:

Ms Kim Ndungu

38 Cheviot Drive

Newton Mearns

East Renfrewshire

G77 5AS

Agent:

Danny Campbell

Grain Store

60 Tradeston St

Tradeston

Glasgow

G5 8BH

Proposal: Roof alterations and creation of rear gable extension. Dormer to front elevation.

Location: 38 Cheviot Drive  
Newton Mearns  
East Renfrewshire  
G77 5AS

**CONSULTATIONS/COMMENTS:** None.

**PUBLICITY:** None.

**SITE NOTICES:** None.

## **SITE HISTORY:**

2022/0752/TP	Alterations to roof from hipped side to gabled; formation of front and rear dormer windows.	Withdrawn	09.03.2023
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**REPRESENTATIONS:** No representations have been received.

**DEVELOPMENT PLAN & GOVERNMENT GUIDANCE:** See Appendix 1

**SUPPORTING REPORTS:** No reports have been submitted for consideration as part of this application.

## **ASSESSMENT:**

The application site comprises a detached hip roofed bungalow with a flat roofed front-facing attic dormer. The dwelling has a short ridge running parallel with the road. The dwelling, in common with others in the street, has a characteristic squat appearance informed by the proportions of the wall head relative to the ridge height. It lies within an established residential area on the outside

of a bend in the road. The area is characterised by similar dwellings with hipped or semi-hipped roofs.

Planning permission is sought for an extension to the roof to form a rear gable and to increase its ridge height by 0.5 metres; and for the formation of a front dormer in lieu of the existing dormer. The proposed dormer comprises a shallow pitch roof and measures 3.5 metres wide.

The application requires to be assessed with regard to the Development Plan which comprises NPF4 and the East Renfrewshire Local Development Plan 2.

The policy most relevant to this proposal in NPF4 is Policy 16. Policy 16 states that householder development proposals will be supported where they:

- (i) do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- (ii) do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

Policies D1 and D1.1 of the adopted East Renfrewshire Local Development Plan are also relevant to this development. Policy D1 requires that all development should not result in a significant loss of character or amenity to the surrounding area and Policy D1.1 requires that extensions and alterations should complement the character of the existing building in terms of its style, form and materials and not give rise to a significant loss of character or amenity to the surrounding area.

The Supplementary Guidance: Householder Design Guide (SG 2023) is a material consideration. Of relevance to this proposal, it states: "Extensions, dormer windows and garages should respect the character of the original house and the surrounding area in terms of design, scale and materials. No extension, dormer window or garage should detract from the character of the area. Within this context innovative, contemporary or modern design will be considered." Of dormer windows it states they: "should not dominate the roof slope on which they are located".

Given its size and design, incorporating a shallower roof pitch relative to the dwelling, the proposed dormer is considered to be a dominant and incongruous feature that detracts from the character and design of the existing dwelling. Where front dormer windows are present on other dwellings in the street, they are more modest in scale and comprise flat or more traditionally proportioned hipped roofs. As such, the proposed front dormer is a dominant and incongruous feature on the street scape to the detriment of the visual amenity and character of the area.

The alterations to the roof, namely the formation of the rear gable and increase in the ridge height, is considered to dominate and overwhelm the character and design of the original hip roofed dwelling. The increase in the ridge height would disturb the characteristic proportions of the dwelling to the further detriment of its character. It was noted at a recent site inspection that, given the dwelling's location on the outside of a bend in the road, the rear gable would be visible when heading east along Cheviot Drive. As such, the proposed rear gable would be an incongruous feature to the detriment of the visual character of the area.

The proposal is therefore contrary to Policy 16 of Policy NPF4 and Policies D1 and D1.1 of LDP2.

As noted, the SG 2023 is a material consideration. Given the foregoing, the proposal is also contrary to the relevant specific terms of the SG 2023. No information has been given to suggest the design is innovative in any particular regard. Even if it were, this would not be considered to outweigh the terms of the development plan.



It is accepted that the current proposal is a reduced scheme relative to the earlier application 2022/0752/TP. However, as noted above, the current proposal is contrary to the terms of the development plan.

In conclusion, the proposal is contrary to the terms of the development plan and the specific terms of the SG. There are no material considerations that indicate the application should not be refused. It is therefore recommended that the application is refused.

**PLANNING OBLIGATIONS:** None.

**RECOMMENDATION:** Refuse

**REASONS FOR REFUSAL:**

1. The proposal is contrary to Policy 16 of the National Planning Framework 4 and Policies D1 and D1.1 of the East Renfrewshire Local Development Plan 2 as: (i) the proposed front dormer, given its size and design, would be a dominant and incongruous feature that would detract from the character and design of the existing dwelling and from the character and visual amenity of the area; and (ii) the proposed rear gable and the increase in the ridge height would dominate and detract from the character and design of the original dwelling and detract from the visual character of the area.
2. The proposal is contrary to the Supplementary Guidance: Householder Design Guide (2023) as: (i) it does not respect the character of the original house and the surrounding area in terms of design, scale and materials; and (ii) the proposed dormer dominates the roof plane, all to the detriment of the character and design of the dwelling and the visual character and amenity of the area.

**ADDITIONAL NOTES:** None.

**ADDED VALUE:** None

**BACKGROUND PAPERS:**

Further information on background papers can be obtained from Mr Derek Scott on 0141 577 3001.

Ref. No.: 2023/0217/TP  
(DESC)

DATE: 8th June 2023

**DIRECTOR OF ENVIRONMENT**

**Finalised 27<sup>th</sup> June 2023 – GMcC(1)**

**Reference: 2023/0217/TP - Appendix 1**

## **DEVELOPMENT PLAN:**

### **Adopted East Renfrewshire Local Development Plan 2**

#### Policy D1

#### Placemaking and Design

Proposals for development within the urban and rural areas should be well designed, sympathetic to the local area and demonstrate that the following criteria have been considered, and, where appropriate, met. Proposals will be assessed against the 6 qualities of a successful place as outlined in SPP, Designing Streets and the Placemaking and Design Supplementary Guidance.

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. The proposal should be appropriate to its location, be high quality and of a size, scale, height, massing and density and layout that is in keeping with the buildings in the locality or appropriate to the existing building and should respect local architecture, building form and design;
3. Respect existing building lines and heights of the locality;
4. Create a well-defined structure of streets, public spaces and buildings;
5. Ensure the use of high quality sustainable and durable materials, colours and finishes that complement existing development and buildings in the locality;
6. Respond to and complement site topography and not impact adversely upon the green belt and landscape character and setting, green networks, features of historic interest, landmarks, vistas, skylines and key gateways. Existing buildings and natural features of suitable quality, should be retained and sensitively integrated into proposals including greenspace, trees and hedgerows;
7. Boundary treatment and landscaping should create a distinctive edge and gateway to the development and reflect local character;
8. Promote permeable and legible places through a clear sustainable movement hierarchy favouring walking, then cycling, public transport, then the private car as forms of movement;
9. Demonstrate connectivity through the site and to surrounding spaces via a network of safe, direct, attractive and coherent walking and cycling routes. These must be suitable for all age groups, and levels of agility and mobility to allow for ease of movement from place to place;
10. Demonstrate that safe and functional pedestrian, cycle and vehicular access, and parking facilities and infrastructure, including for disabled and visitor parking, is provided in accordance with the Council's Roads Development Guide. Where appropriate, proposals will be required to provide secure and accessible shelters, lockers, showers and seating and be designed to meet the needs of all users. Cycle parking and facilities should be located in close proximity to the entrances of all buildings to provide convenience and choice for users;
11. Incorporate integrated and enhance existing green infrastructure assets, such as landscaping, trees and greenspace, water management and SUDs including access and prioritise links to the wider green network as an integral part of the design process from the outset, in accordance with Policies D4 - D6. New green infrastructure must be designed to protect and enhance the habitat and biodiversity of the area and demonstrate a net gain;

12. Unless justified, there will be a general presumption against landraising. Where there is a justifiable reason for landraising, proposals must have regard to the scale and visual impact of the resultant changes to the local landscape and amenity. Proposals that adversely impact upon the visual and physical connections through the site and to the surrounding areas will be resisted;
13. Backland development should be avoided;
14. Provide safe, secure and welcoming places with buildings and spaces, including open spaces, play areas and landscaping, designed and positioned to reduce the scope for anti-social behaviour and fear of crime, improve natural surveillance, passive overlooking, security and street activity;
15. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by unreasonably restricting their sunlight or privacy. Additional guidance on this issue is available in the Daylight and Sunlight Design Guide Supplementary Guidance;
16. Development should minimise the extent of light pollution caused by street and communal lighting and any floodlighting associated with the proposal;
17. The amenity of residents, occupants and users of neighbouring existing and new buildings and spaces should not be adversely affected by noise, dust, pollution and smell or poor air quality;
18. Ensure buildings and spaces are future proof designed to be easily adaptable and flexible to respond to changing social, environmental, technological, digital and economic conditions;
19. Incorporate provision for the recycling, storage, collection and composting of waste materials; and
20. Incorporate the use of sustainable design and construction methods and materials in the layout and design to support a low carbon economy.

Proposals must meet the requirements of any development brief prepared by the Council for an allocated site.

Further detailed guidance and information will be set out in the Placemaking and Design Supplementary Guidance, Householder Design Supplementary Guidance and the Daylight and Sunlight Design Supplementary Guidance.

#### Policy D1.1

##### Extensions and Alterations to Existing Buildings for Residential Purposes

Proposals will be assessed against the following criteria:

1. The development should not result in a significant loss of character or amenity to the surrounding area;
2. Should complement the scale and character of the existing building, neighbouring properties and their setting, particularly in terms of style, form and materials;
3. The size, scale and height of any development must be appropriate to and not adversely impact or dominate the existing building;
4. Should not create an unbroken or terraced appearance;
5. Where additional bedrooms are proposed or a garage/driveway is being converted to another use other than for the parking of a vehicle, proposals will be required to provide parking in accordance with the Council's Roads Development Guide; and

6. Should avoid over-development of the site by major loss of existing front and rear garden space. No more than 50% of the rear garden should be occupied by the development.

Further detailed information and guidance will be set out in the Householder Design Guide Supplementary Guidance.

#### **National Planning Framework 4**

##### Policy 16

##### Quality homes

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to:
  - i. meeting local housing requirements, including affordable homes;
  - ii. providing or enhancing local infrastructure, facilities and services; and
  - iii. improving the residential amenity of the surrounding area.
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:
  - i. self-provided homes;
  - ii. accessible, adaptable and wheelchair accessible homes;
  - iii. build to rent;
  - iv. affordable homes;
  - v. a range of size of homes such as those for larger families;
  - vi. homes for older people, including supported accommodation, care homes and sheltered housing;
  - vii. homes for people undertaking further and higher education; and
  - viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.
- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where:
  - i. a higher contribution is justified by evidence of need, or

- ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes. The contribution is to be provided in accordance with local policy or guidance.
  
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where:
  - i. the proposal is supported by an agreed timescale for build-out; and
  - ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;
  - iii. and either:
    - delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
    - the proposal is consistent with policy on rural homes; or
    - the proposal is for smaller scale opportunities within an existing settlement boundary; or
    - the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
  
- g) Householder development proposals will be supported where they:
  - i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
  - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
  
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

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# **DECISION NOTICE**

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**EAST RENFREWSHIRE COUNCIL**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
(AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(SCOTLAND) REGULATIONS 2013**

**REFUSAL OF PLANNING PERMISSION**

Ref. No.        **2023/0217/TP**

**Applicant:**

Ms Kim Ndungu  
38 Cheviot Drive  
Newton Mearns  
East Renfrewshire  
G77 5AS

**Agent:**

Danny Campbell  
Grain Store  
60 Tradeston St  
Tradeston  
Glasgow  
G5 8BH

With reference to your application which was registered on 3rd May 2023 for planning permission under the abovementioned Act and Regulations for the following development, viz:-

**Roof alterations and creation of rear gable extension. Dormer to front elevation.**

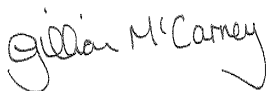
**at: 38 Cheviot Drive Newton Mearns East Renfrewshire G77 5AS**

the Council in exercise of their powers under the abovementioned Act and Regulations hereby refuse planning permission for the said development.

**The reason(s) for the Council's decision are:-**

1. The proposal is contrary to Policy 16 of the National Planning Framework 4 and Policies D1 and D1.1 of the East Renfrewshire Local Development Plan 2 as: (i) the proposed front dormer, given its size and design, would be a dominant and incongruous feature that would detract from the character and design of the existing dwelling and from the character and visual amenity of the area; and (ii) the proposed rear gable and the increase in the ridge height would dominate and detract from the character and design of the original dwelling and detract from the visual character of the area.
2. The proposal is contrary to the Supplementary Guidance: Householder Design Guide (2023) as: (i) it does not respect the character of the original house and the surrounding area in terms of design, scale and materials; and (ii) the proposed dormer dominates the roof plane, all to the detriment of the character and design of the dwelling and the visual character and amenity of the area.

Dated            27th June 2023



Head of Environment  
(Chief Planner)  
East Renfrewshire Council  
2 Spiersbridge Way,  
Spiersbridge Business Park,  
Thornliebank,  
G46 8NG  
Tel. No. 0141 577 3001

The following drawings/plans have been refused

<b>Plan Description</b>	<b>Drawing Number</b>	<b>Drawing Version</b>	<b>Date on Plan</b>
Block Plan and Location Plan Proposed	100	A	
Elevations Proposed	203	B	
Plans Proposed	201	B	
Plans Proposed	200	B	
Plans Proposed	202	B	

## **GUIDANCE NOTE FOR REFUSAL OF LOCAL DEVELOPMENTS DETERMINED UNDER DELEGATED POWERS**

### **REVIEW BY EAST RENFREWSHIRE COUNCIL'S LOCAL REVIEW BODY**

1. If the applicant is aggrieved by a decision to refuse permission (or by an approval subject to conditions), the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. A Notice of Review can be submitted online at [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk). Please note that beyond the content of the appeal or review forms, **you cannot normally raise new matters** in support of an appeal or review, unless you can demonstrate that the matter could not have been raised before, or that its not being raised before is a consequence of exceptional circumstances. Following submission of the notice, you will receive an acknowledgement letter informing you of the date of the Local Review Body meeting or whether further information is required.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

### **CONTACT DETAILS**

**East Renfrewshire Council  
Development Management Service  
2 Spiersbridge Way,  
Spiersbridge Business Park,  
Thornliebank,  
G46 8NG**

**General Inquiry lines 0141 577 3001  
Email [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)**

**NOTICE OF REVIEW**

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2 Spiersbridge Way Thornliebank G46 8NG Tel: 0141 577 3001 Email: [planning@eastrenfrewshire.gov.uk](mailto:planning@eastrenfrewshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100611764-006

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	HOKO Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Danny	Building Name:	GRAIN STORE
Last Name: *	Campbell	Building Number:	60
Telephone Number: *	02045250975	Address 1 (Street): *	Tradeston St
Extension Number:		Address 2:	Tradeston
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	UK
		Postcode: *	G5 8BH
Email Address: *	dannysteam@hokodesign.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="KIM"/>	Building Number:	<input type="text" value="38"/>
Last Name: *	<input type="text" value="NDUNGU"/>	Address 1 (Street): *	<input type="text" value="CHEVIOT DRIVE"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="GLASGOW"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G77 5AS"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="boomkim1@hotmail.com"/>		

## Site Address Details

Planning Authority:	<input type="text" value="East Renfrewshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="38 CHEVIOT DRIVE"/>
Address 2:	<input type="text" value="NEWTON MEARNS"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLASGOW"/>
Post Code:	<input type="text" value="G77 5AS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="655036"/>	Easting	<input type="text" value="253425"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Dormer extensions plus internal alterations to an existing detached dwelling house

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

WE BELIEVE THE FRONT DORMER IS IN KEEPING WITHIN THE CHARACTER AND DESIGN OF THE EXISTING DWELLING. THERE ARE MULTIPLE EXAMPLES OF A PITCHED ROOF CONSTRUCTION TO PROPERTIES WITHIN THE SAME AREA. WE DONT AGREE THAT THE REAR DORMER/EXTENSION DETRACTS FROM THE CHARACTER DUE TO INCREASE OF RIDGE LINE. WE'RE PROPOSING THE RIDGE HEIGHT REMAINS AND EXTENDS TO REAR GARDEN OF THE PROPERTY

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

000, 001, 002, 003, 100, 101, 200, 201, 202, 203

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

2023/0217/TP

What date was the application submitted to the planning authority? \*

23/12/2022

What date was the decision issued by the planning authority? \*

27/06/2023

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.



## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Danny Campbell

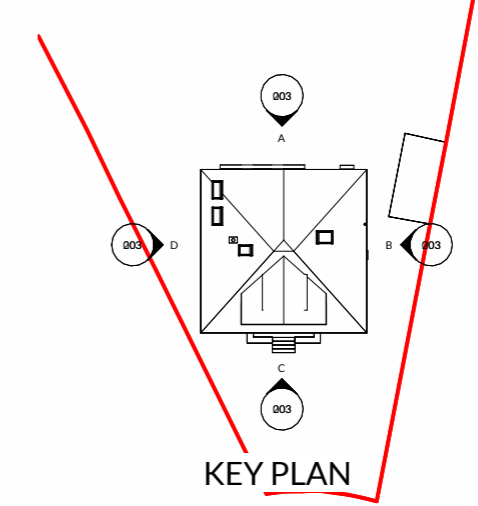
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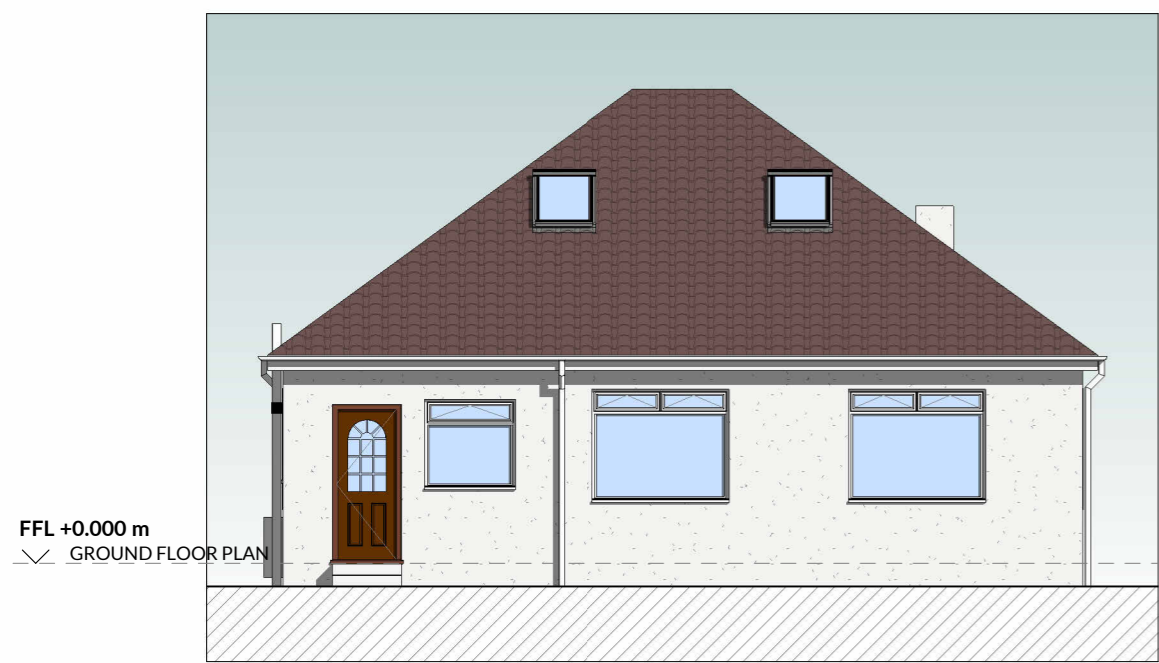
**PLANS/DRAWINGS**

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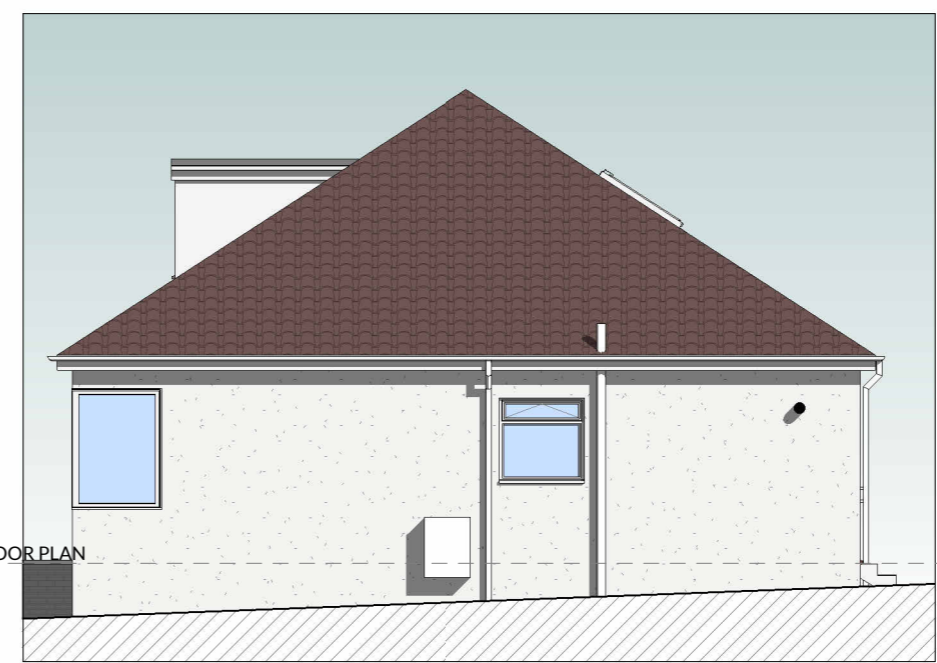
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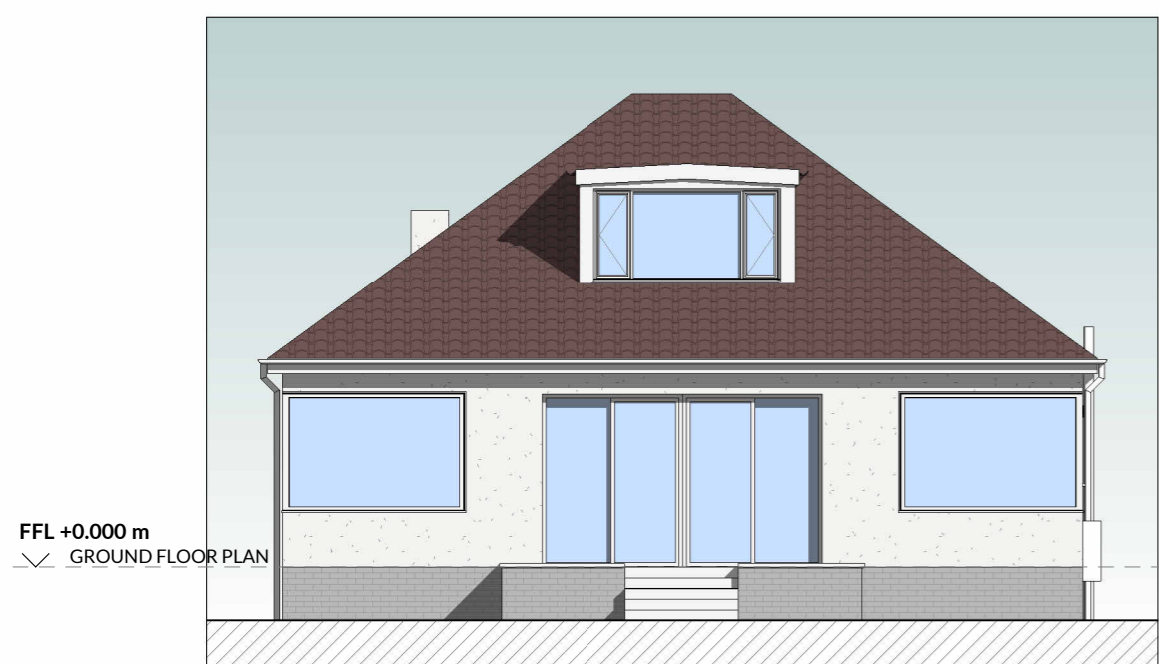
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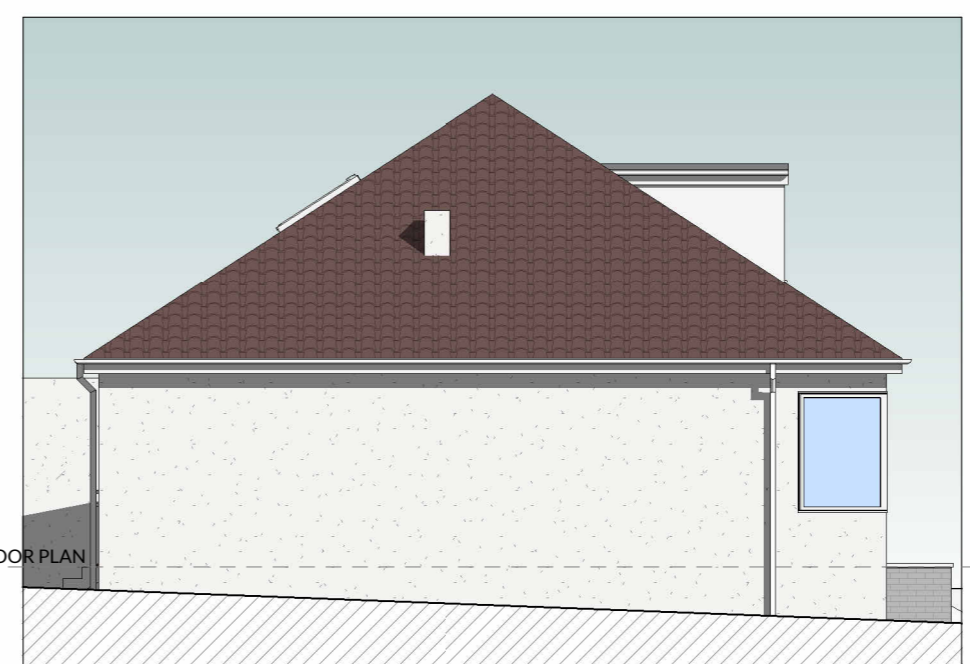
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1:100



**B** ELEVATION B - AS EXISTING  
1:100



**C** ELEVATION C - AS EXISTING  
1:100



**D** ELEVATION D - AS EXISTING  
1:100

Revision History

Rev.	Description	Date	By
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**HOKO**

THE HOMEOWNERS ARCHITECT

Project 38 CHEVIOT DRIVE  
G77 5AS

Client KIM NDUNGU

Project No. L22176

Drawing No. 003

Title ELEVATIONS - AS EXISTING

Scale As indicated@A3

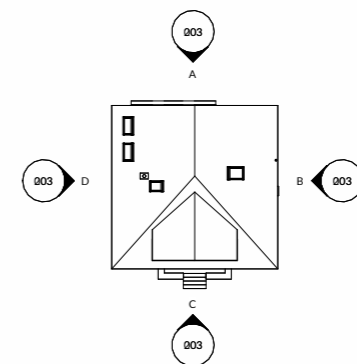
Revision

Status PLANNING

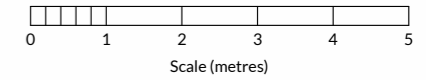
Drawn JO

Date 24/11/22

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KEY PLAN



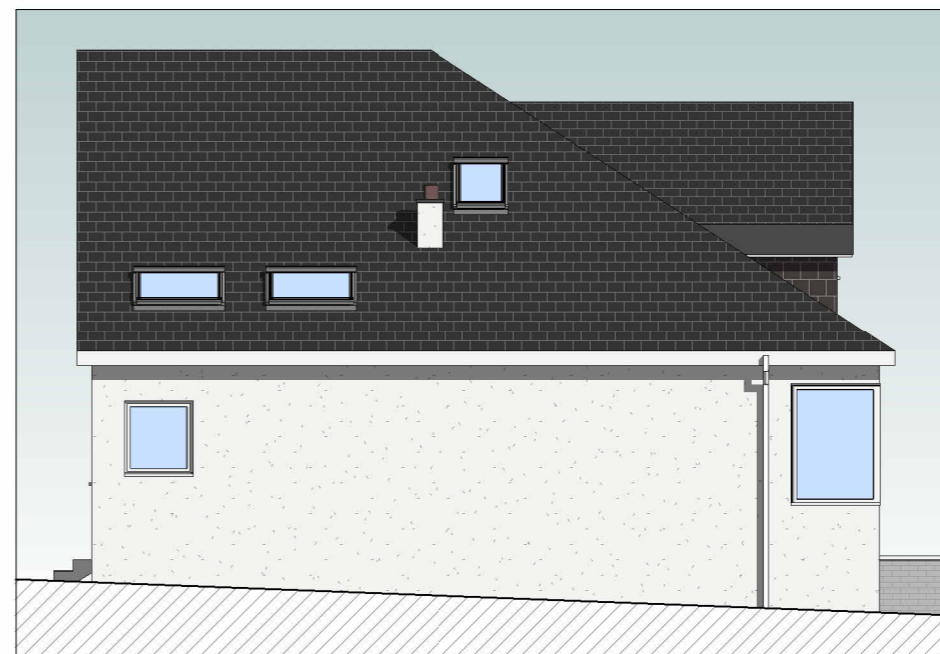
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**B** ELEVATION B - AS PROPOSED  
1:100



**C** ELEVATION C - AS PROPOSED  
1:100



**D** ELEVATION D - AS PROPOSED  
1:100

**Revision History**

Rev.	Description	Date	By
B	Design revised as per client comments	06/04/23	CPS
A	REDESIGN	23/03/23	SM



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THE HOMEOWNERS ARCHITECT

Project 38 CHEVIOT DRIVE  
G77 5AS

Client KIM NDUNGU

Project No. L22176

Drawing No. 203

Title ELEVATIONS

Scale As indicated@A3

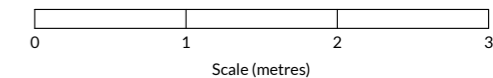
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Drawn SM

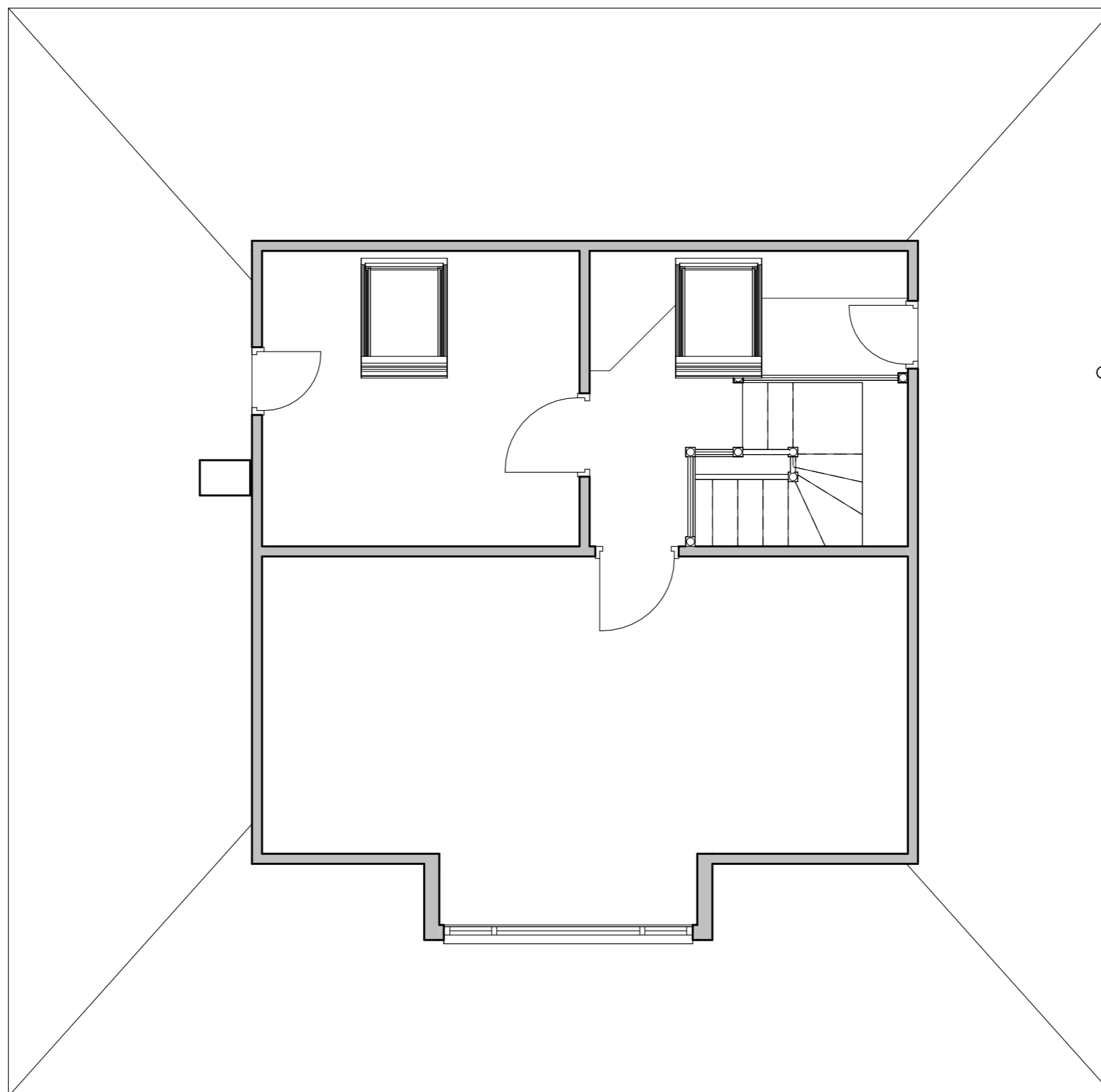
Date 23/03/23

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#### Revision History

Rev.	Description	Date	By
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THE HOMEOWNERS ARCHITECT

Project	38 CHEVIOT DRIVE G77 5AS
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Client	KIM NDUNGU
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Project No.	L22176
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Drawing No.	001
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Title	FIRST FLOOR PLAN - AS EXISTING
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Scale	1:50@A3
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Revision	
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Status	PLANNING
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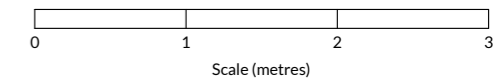
Drawn	JO
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Date	24/11/22
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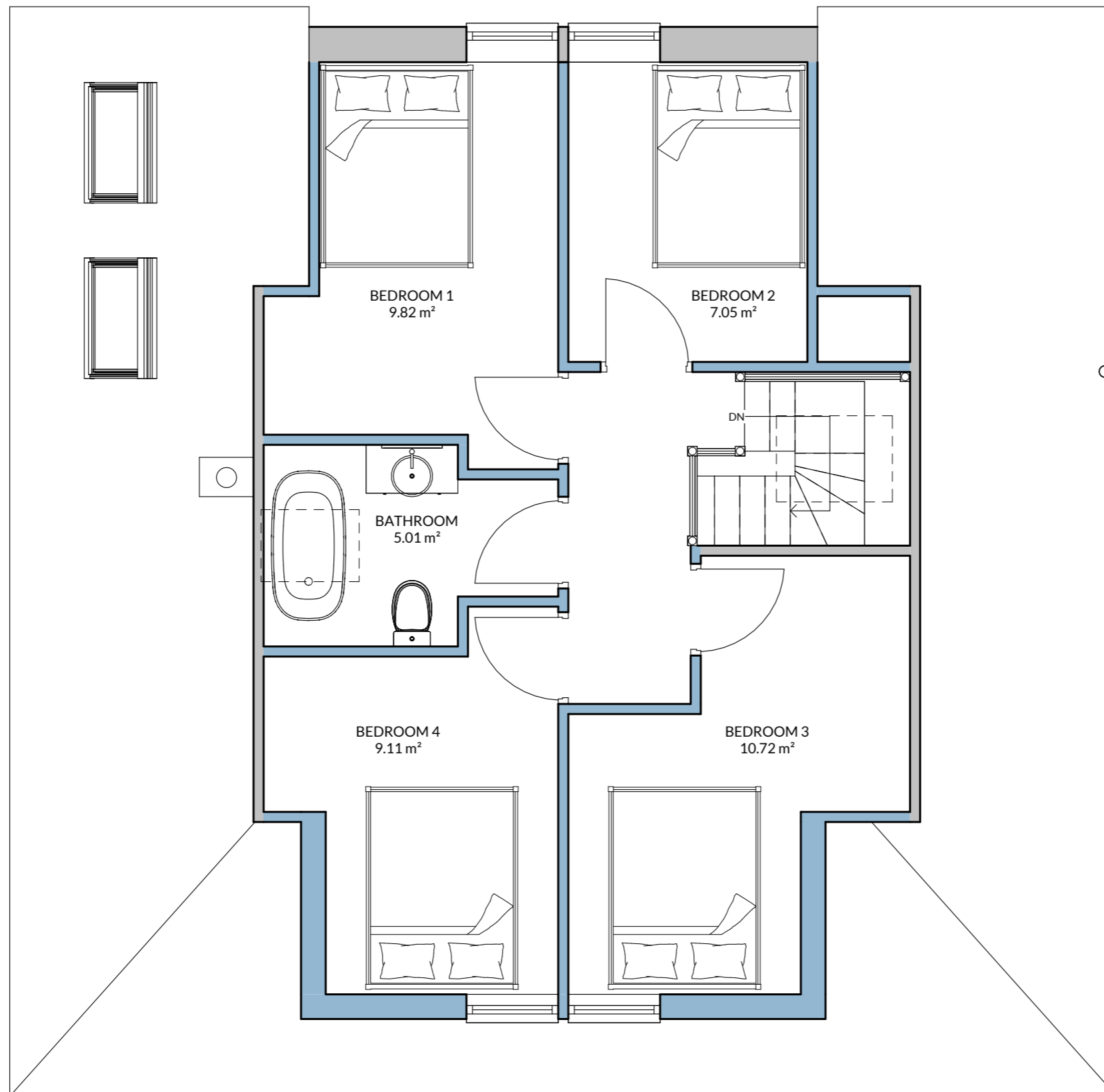
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**Revision History**

Rev.	Description	Date	By
B	Design revised as per client comments	06/04/23	CPS
A	REDESIGN	23/03/23	SM



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THE HOMEOWNERS ARCHITECT

Project 38 CHEVIOT DRIVE  
G77 5AS

Client KIM NDUNGU

Project No. L22176

Drawing No. 201

Title FIRST FLOOR PLAN

Scale 1:50@

Revision B

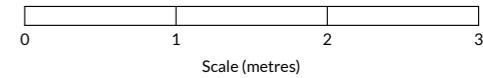
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Date 23/03/23

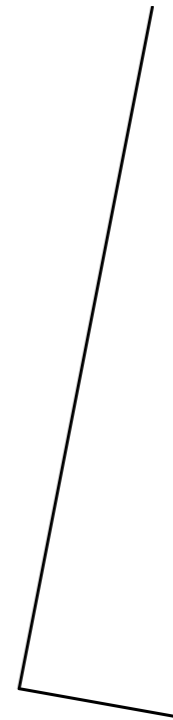
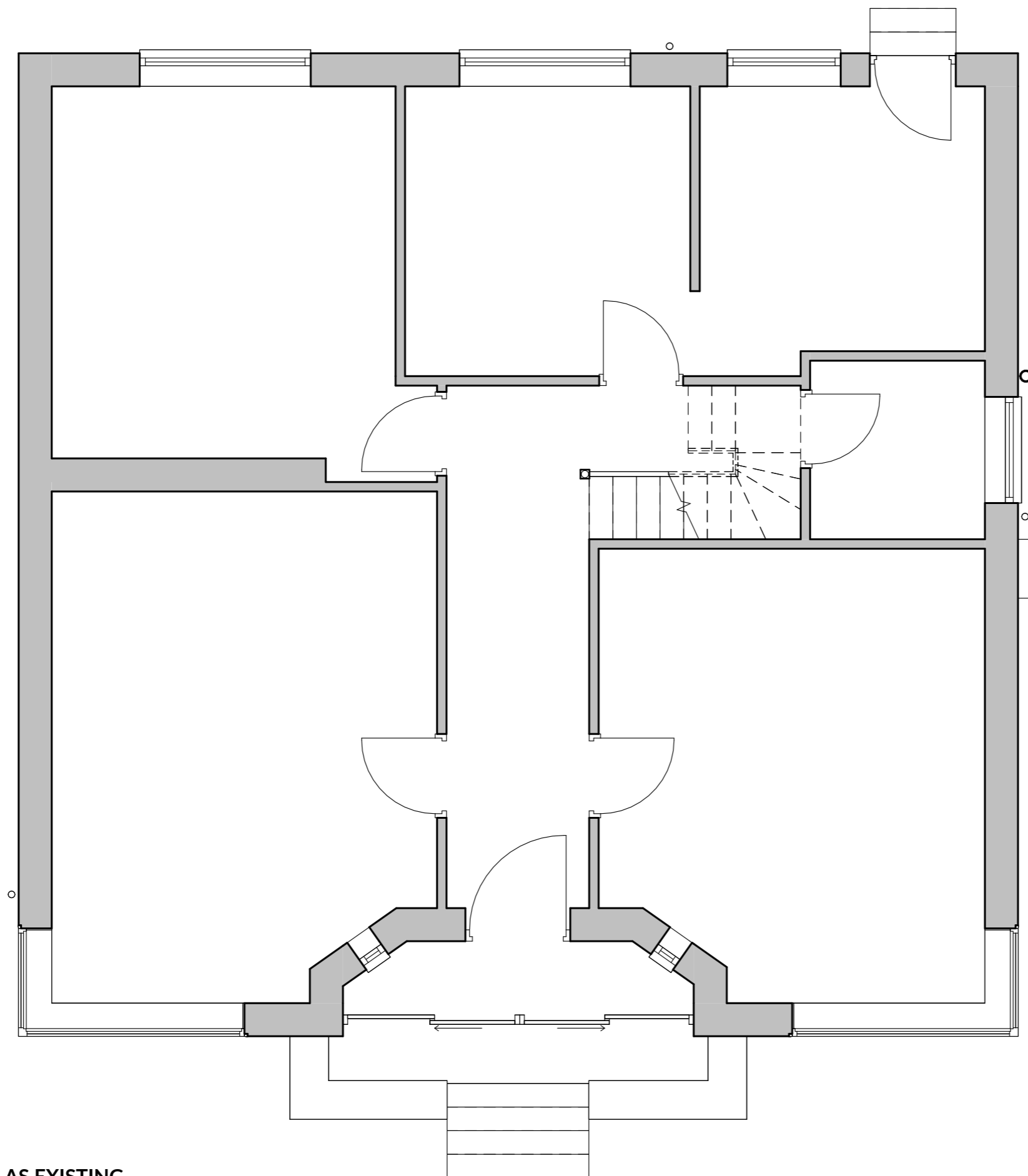


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**Revision History**

Rev.	Description	Date	By
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THE HOMEOWNERS ARCHITECT

Project 38 CHEVIOT DRIVE  
G77 5AS

Client KIM NDUNGU

Project No. L22176

Drawing No. 000

Title GROUND FLOOR PLAN - AS EXISTING

Scale 1:50@A3

Revision

Status PLANNING

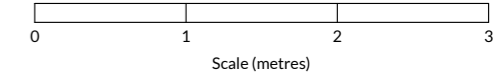
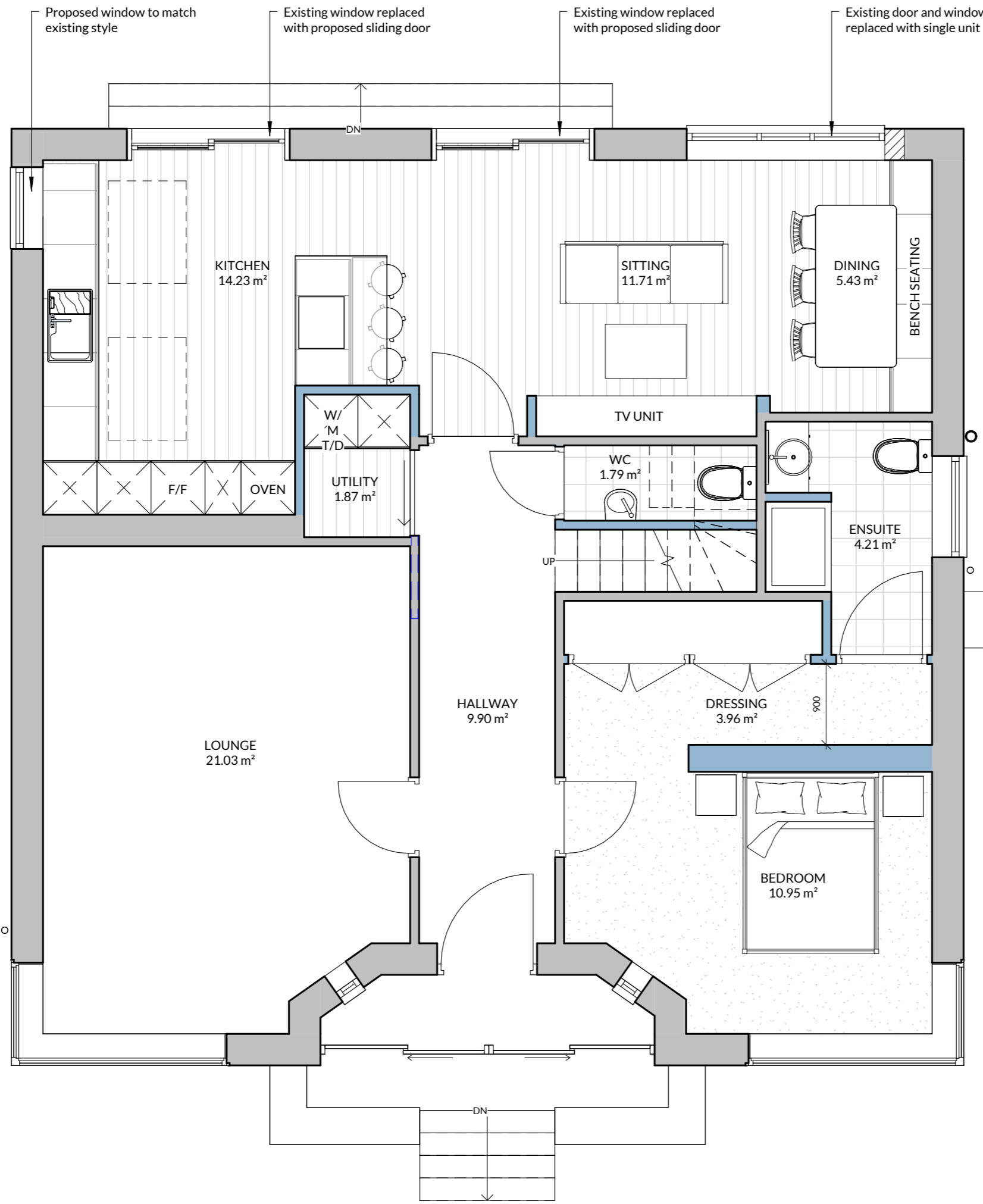
Drawn JO

Date 24/11/22

**1** GROUND FLOOR PLAN - AS EXISTING

1:50

Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only. All dimensions are in millimetres unless otherwise stated. All dimensions to be verified on site before proceeding with the work. Any discrepancies to be notified in writing to Architect immediately



**Revision History**

Rev.	Description	Date	By
B	Design revised as per client comments	06/04/23	CPS
A	REDESIGN	23/03/23	SM



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THE HOMEOWNERS ARCHITECT

Project 38 CHEVIOT DRIVE  
G77 5AS

Client KIM NDUNGU

Project No. L22176

Drawing No. 200

Title GROUND FLOOR PLAN

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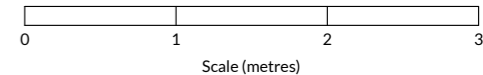
Revision B

Status PLANNING

Drawn SM

Date 23/03/23

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**Revision History**

Rev.	Description	Date	By
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**HOKO**

THE HOMEOWNERS ARCHITECT

Project	38 CHEVIOT DRIVE G77 5AS
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Client	KIM NDUNGU
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Project No.	L22176
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Drawing No.	002
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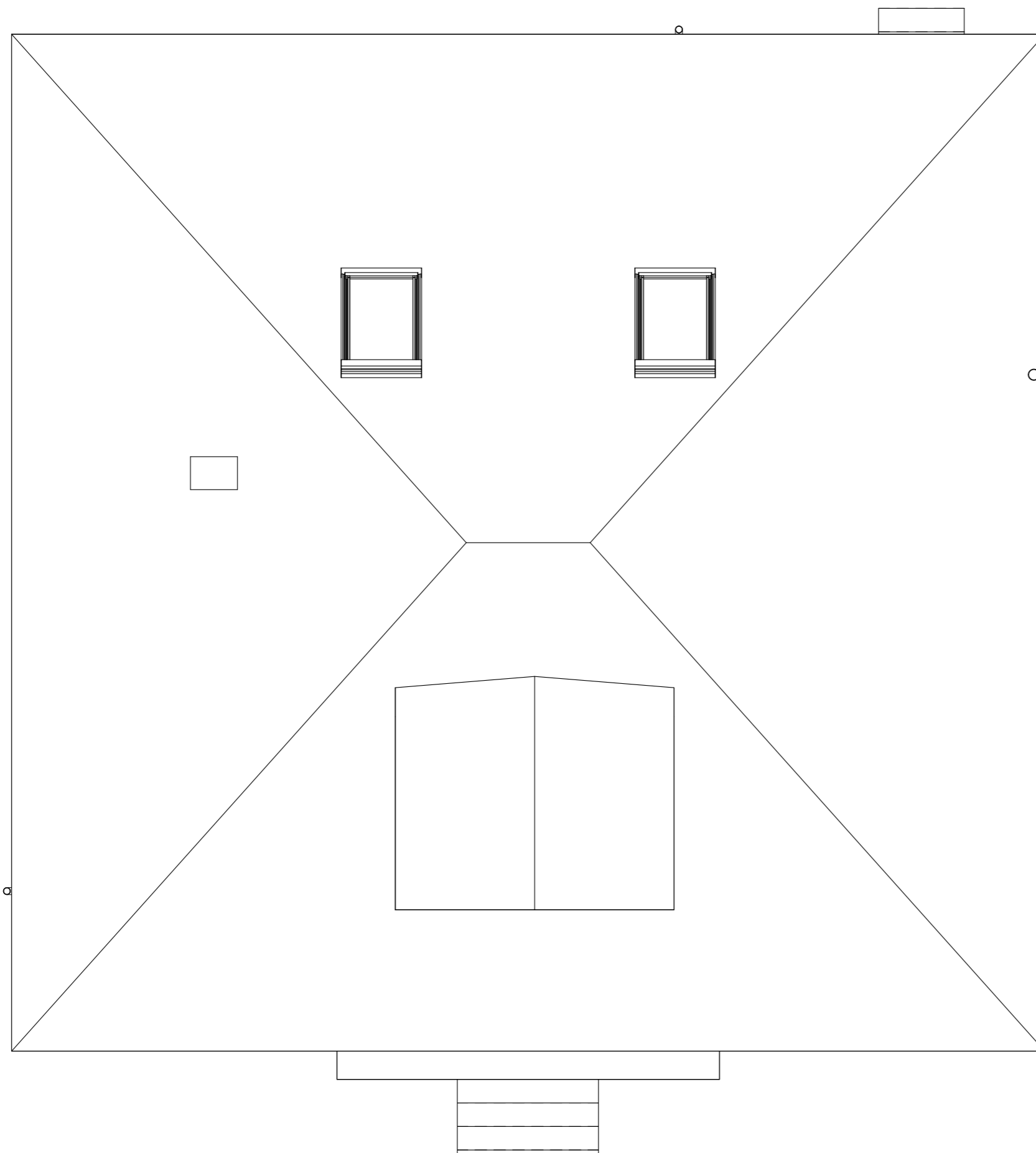
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Revision	
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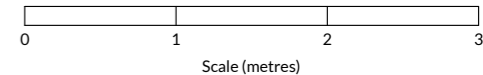
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Date	24/11/22
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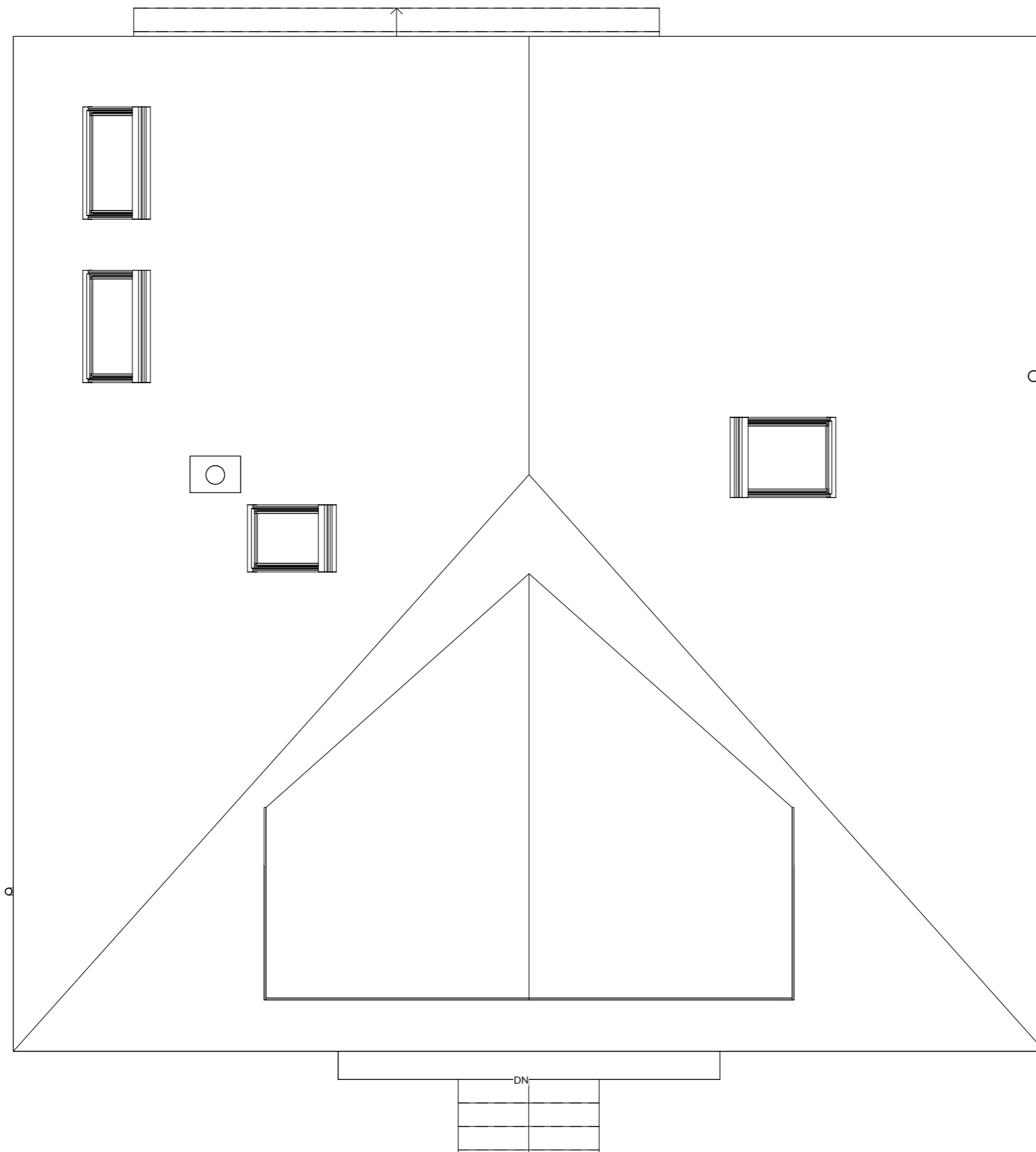
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Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information should be taken from figured dimensions only. All dimensions are in millimetres unless otherwise stated. All dimensions to be verified on site before proceeding with the work. Any discrepancies to be notified in writing to Architect immediately



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**HOKO**

THE HOMEOWNERS ARCHITECT

Project 38 CHEVIOT DRIVE  
G77 5AS

Client KIM NDUNGU

Project No. L22176

Drawing No. 202

Title ROOF PLAN

Scale 1:50@

Revision B

Status PLANNING

Drawn SM

Date 23/03/23